

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)
)
 8:04CR432
Plaintiff,)
)
 ORDER
vs.)
)
BRIAN M. DAVIS,)
)
Defendant.)

Defendant's motion to continue the plea hearing (Filing No. 79) is granted.

IT IS ORDERED that the Change of Plea hearing is continued to **June 30, 2005** at **9:00 a.m.** before Magistrate Judge Thomas D. Thalken, Courtroom No. 7, Second Floor, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska.

For this defendant, the time between **April 27, 2005** and the **hearing** on the anticipated plea of guilty **is excluded** for purposes of computing the limits under the Speedy Trial Act. **See** 18 U.S.C. § 3161(h)(1)(I)&(h)(8)(A)(B).

Since this is a criminal case, the defendant must be present, unless excused by the Court.

DATED this 2nd day of May, 2005.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge